

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 565

November 9, 1995, 6:45 p.m.  
Page S-16891 Temp. Record

## SECOND CONTINUING APPROPRIATIONS/Public Funding & Lobbying

**SUBJECT:** Second Continuing Appropriations Bill for fiscal year 1996 . . . H.J.Res. 115. Upon reconsideration, Craig modified amendment No. 3049 to the Simpson perfecting amendment No. 3048 to the language proposed to be stricken by the Campbell amendment No. 3045.

### ACTION: AMENDMENT AGREED TO, 49-47

**SYNOPSIS:** As introduced, H.J. Res. 115, the Second Continuing Appropriations Bill for fiscal year 1996, will provide limited funding through December 1, 1995 for Federal programs that have not yet had fiscal year (FY) 1996 appropriations enacted for them. It also will: terminate several small programs; prohibit Federal funding from going to organizations that engage in lobbying activities; keep the Medicare Part B premium at 31.5 percent; and expand Medicare coverage to include oral hormonal drugs for treating breast cancer.

The Campbell amendment would strike the section that will impose restrictions on lobbying by Federal grantees. The specifics of those restrictions are as follows:

- 501(c)(4) tax-exempt organizations with gross revenues of more than \$3 million and which engage in lobbying will be ineligible for Federal awards, grants, or loans;
- organizations that receive more than one-third of their revenues in Federal grants and spend \$100,000 or more a year on lobbying activities will lose eligibility for Federal awards, grants, or loans;
- limitations on grant eligibility based on political advocacy will not apply to organizations that spend less than \$25,000 per year on such advocacy;
- any other organization will be denied a grant if it exceeds the Substantial Political Advocacy Threshold (which will be based on the formula used currently to determine the permissible amount of lobbying by 501(c)(3) charitable tax filers) for any 1 of the previous 5 Federal fiscal years (excluding years prior to 1996);
- grantees will be required to agree not to engage in substantial political advocacy during a year in which they control Federal grant funds;

(See other side)

YEAS (49)			NAYS (47)			NOT VOTING (3)	
Republicans (49 or 94%)		Democrats (0 or 0%)	Republicans (3 or 6%)	Democrats (44 or 100%)		Republicans (1)	Democrats (2)
Abraham	Hatch		Jeffords	Baucus	Johnston	Lugar- <sup>2</sup>	Akaka- <sup>2</sup>
Ashcroft	Hatfield		Snowe	Biden	Kennedy		Bradley- <sup>4</sup>
Bennett	Helms		Specter	Bingaman	Kerrey		
Bond	Hutchison			Boxer	Kerry		
Brown	Inhofe			Breaux	Kohl		
Burns	Kassebaum			Bryan	Lautenberg		
Campbell	Kempthorne			Bumpers	Leahy		
Chafee	Kyl			Byrd	Levin		
Coats	Lott			Conrad	Lieberman		
Cochran	Mack			Daschle	Mikulski		
Cohen	McCain			Dodd	Moseley-Braun		
Coverdell	McConnell			Dorgan	Moynihan		
Craig	Murkowski			Exon	Murray		
D'Amato	Nickles			Feingold	Nunn		
DeWine	Pressler			Feinstein	Pell		
Dole	Roth			Ford	Pryor		
Domenici	Santorum			Glenn	Reid		
Faircloth	Shelby			Graham	Robb		
Frist	Simpson			Harkin	Rockefeller		
Gorton	Smith			Heflin	Sarbanes		
Gramm	Stevens			Hollings	Simon		
Grams	Thomas			Inouye	Wellstone		
Grassley	Thompson						
Gregg	Thurmond						
	Warner						

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

- grants to an affiliate of an organization will be counted as grants to that organization;
- grantees will be subject to congressional audits;
- grantees will annually disclose their lobbying activities;
- grantees will only use grant funds for the purposes for which they were given;
- grantees will not give grant funds to entities that are ineligible to receive Federal grants; and
- based on the current Federal law used to recover funds from contractors who defraud the Government, qui tams provisions will be enacted (which will allow private citizens to bring actions on behalf of the Government).

The Simpson perfecting amendment to the language proposed to be stricken would also strike that language and would enact the following new restrictions on lobbying by tax-exempt organizations that received grants from the Federal Government: organizations that filed under 501(c)(4) of the tax code and that had gross annual revenues in excess of \$3 million could not accept Federal grants and lobby the Government (legally separate organizations could be formed if organizations wanted to receive public funds and lobby); and all organizations that received Federal grants in excess of \$125,000 annually would be subject to a modified version of the 501(h) formula that is currently used to limit lobbying by 501(c)(3) organizations that receive public funds. The 501(c)(3) formula allows organizations to spend a portion of their total outlays on lobbying. That formula is capped at \$1 million; an organization reaches that cap under the formula when its total spending reaches \$17 million. The modified version of the formula in this amendment would allow an organization to spend on lobbying 1 percent of any additional amounts it spent in a year in excess of \$17 million. The amendment would also require each organization that received Federal grants to report each year that it received less than \$25,000 in grants or else to disclose an estimate of how much it spent as well as how much it received in grants. Finally, the amendment would define "grant" to mean the provision of any Federal funds to carry out a public purpose (certain exceptions, such as for nonmonetary assistance from the Department of Veterans Affairs, would be made), and it would use the definitions for "lobbying" and related terms as they were set forth in the lobbying reform bill which passed the Senate July 25, 1995 (see vote No. 328). (For related debate, see vote No. 325).

**The Craig modified second degree substitute amendment** to the Simpson amendment would enact provisions with the same effect as the provisions of the Simpson amendment.

NOTE: The Senate earlier rejected the Craig amendment, and then agreed by voice vote to reconsider the vote. After this vote, the underlying Simpson amendment was agreed to by voice vote, and, by unanimous consent, the Campbell amendment, a Simpson substitute amendment to the language proposed to be stricken, and a Craig perfecting amendment to the Simpson substitute amendment were withdrawn.

For debate, see vote No. 564.